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EXHIBIT A

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JUN 2 6 2000

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE:

WORLD WAR II ERA JAPANESE FORCED LABOR LITIGATION,

Master File No. MDL-1347

This Document Relates To:

All Cases

ORDER NO. 1

(Consolidating Cases and Setting Initial Conference)

The cases listed on Attachment A are before the undersigned for coordinated pretrial proceedings pursuant to a transfer order by the Judicial Panel on Multidistrict Litigation, 28 USC § 1407.

1. **Pretrial Consolidation.** The cases listed on Attachment A are, until further order, consolidated for pretrial purposes. This order does not constitute a determination that these actions should be consolidated for trial, nor does it have the effect of making any entity a party to an action in which it has not been joined and served in accordance with the Federal Rules of Civil Procedure.

(a) **Master Docket and File.** The clerk will maintain a master docket and case file under the style "IN RE WORLD WAR II ERA JAPANESE FORCED LABOR LITIGATION," master file number MDL-1347. All orders, pleadings, motions and other documents will, when filed and docketed in the master case file, be deemed filed and docketed in each individual case to the extent applicable.

(b) **Captions; Separate Filing.** Orders, pleadings, motions and other documents will bear a caption similar to that of this Order. If generally applicable to all consolidated actions, they shall include in their caption the notation that they relate to "All Cases" and be filed and docketed only in the master file. Documents intended to apply only to particular cases will indicate in their caption the case number of the case(s) to which they apply, and extra copies shall be provided to the clerk to facilitate filing and docketing both in the master case file and the specified individual case files.

(c) **Discovery Requests and Responses.** Pursuant to FRCP 5(d), discovery requests and responses will not be filed with the court except when specifically ordered by the court or to the extent offered in connection with a motion.

2. **Initial Conference.** All parties shall appear for a conference with the undersigned on Wednesday, July 19, 2000, at 10:30 a.m.

(a) **Attendance.** To minimize costs and facilitate a manageable conference, parties are not required to attend the conference, and parties with similar interests are expected to agree to the extent practicable on a single attorney to act on their joint behalf at the conference. A party will not, by designating an attorney to represent its interests at the conference, be precluded from other representation during the litigation; and attendance at the conference will not waive objections to jurisdiction, venue or service.

(b) Service List. This order is being mailed to all persons shown on Attachment B, which has been prepared from the list of counsel making appearances with the Judicial Panel on Multidistrict Litigation. Counsel on this list are requested to forward a copy of the order to other attorneys who should be notified of the conference. A corrected service list will be prepared after the conference.

(c) Other Participants. Persons who are not named as parties in this litigation but may later be joined as parties or are parties in related litigation pending in other federal and state courts are invited to attend in person or by counsel.

(3) Purposes; Agenda. The conference will be held for the purposes specified in FRCP 16(a), 16(b), 16(c) and 26(f), and subject to the sanctions prescribed in Rule 16(f). The items listed in Manual for Complex Litigation, Third, sections 21.21 and 40.1 shall, to the extent applicable, constitute a tentative agenda. Counsel are encouraged to advise the court as soon as possible of any items that should be added to the agenda.

(4) Preparations for Conference.

(a) Procedures for Complex Litigation. Counsel are expected to familiarize themselves with the Manual for Complex Litigation, Third, and be prepared at the conference to suggest procedures that will facilitate the just, speedy and inexpensive resolution of this litigation.

(b) **Initial Conference of Counsel.** Before the conference, counsel shall confer and seek consensus to the extent possible with respect to items on the agenda, including a proposed discovery plan under Rule 26(f) and a suggested schedule under Rule 16(b) for joinder of parties, amendment of pleadings, consideration of any class action allegations, motions and trial.

(c) **Preliminary Reports.** Counsel will submit to the court by July 18, 2000, no later than 10:00 a.m., a brief written statement indicating their preliminary understanding of the facts involved in the litigation and the critical factual and legal issues. These statements will not be filed with the clerk, will not be binding, will not waive claims or defenses and may not be offered in evidence against a party in later proceedings.

(d) **List of Affiliated Companies and Counsel.** To assist the court in identifying any problems of recusal or disqualification, counsel's statement will list all companies affiliated with the parties and all counsel associated in the litigation.

(e) **List of Pending Motions.** Counsel's statement shall list all pending motions.

(f) **List of Related Cases.** Counsel's statement shall list all related cases pending in state or federal court and their current status, to the extent known.

(4) **Interim Measures.** Until otherwise ordered by the court:

(a) Admission of Counsel. Attorneys admitted to practice and in good standing in any United States District Court are admitted pro hac vice in this litigation. Association of local cocounsel is not required.

(b) Pleadings. Each defendant is granted an extension of time for responding by motion or answer to the complaint(s) until a date to be set at the conference.

(c) Pending and New Discovery. Pending the conference, all outstanding disclosure and discovery proceedings are stayed and no further discovery shall be initiated. This order does not (1) preclude voluntary informal discovery regarding the identification of relevant documents and witnesses; (2) preclude parties from stipulating to the conduct of a deposition that has already been scheduled; (3) prevent a party from voluntarily making disclosure, responding to an outstanding discovery request under Rule 33, 34 or 36 or (4) authorize a party to suspend its efforts in gathering information needed to respond to a request under Rule 33, 34 or 36. Relief from this stay may be granted for good cause shown, such as the ill health of a proposed deponent.

(d) Preservation of Records. Each party shall preserve all documents and other records containing information potentially relevant to the subject matter of this litigation. Each party shall also preserve any physical evidence or potential evidence and shall not conduct any testing that alters the physical evidence without notifying opposing counsel and, unless counsel stipulate to the test, without obtaining the court's permission to conduct the test. Subject to further order of the court, parties may continue routine erasures of computerized data pursuant to existing programs, but they shall (1) immediately notify opposing counsel about such programs and (2) preserve any printouts of such data. Requests for relief from this directive will receive prompt attention from the court.

5. Later Filed Cases. This order shall also apply to related cases later filed in, removed to or transferred to this court.

6. Local Rules; Standing Orders. Unless otherwise specified in this or subsequent orders, in addition to the Federal Rules of Civil Procedure, the Local Rules of this district and Standing Orders of this court shall govern this litigation.

IT IS SO ORDERED.

VAUGHN R. WALKER
United States District Judge

SCHEDULE A

MDL-1347 -- In re World War II Era Japanese Forced Labor Litigation

Central District of California

Lester I. Tenney v. Mitsui & Co., Ltd., et al., C.A. No. 2:99-11545
Melody Solis v. Nippon Steel Corp., et al., C.A. No. 2:00-188
Harold W. Poole, et al. v. Nippon Steel Corp., et al., C.A. No. 2:00-189
Raymond Wheeler, et al. v. Mitsui & Co., Ltd., et al., C.A. No. 2:00-2057
Woodrow M. Hutchison v. Mitsubishi Materials Corp., et al., C.A. No. 2:00-2796
Gloria Tyler Alfano, et al. v. Mitsubishi Corp., et al., C.A. No. 2:00-3174
Shang-Ting Sung v. Mitsubishi Corp., et al., C.A. No. 2:00-3175

Northern District of California

Ralph Levenberg v. Nippon Sharyo, Ltd., et al., C.A. No. 3:99-1554
James O. King v. Nippon Steel Corp., et al., C.A. No. 3:99-5042
Suk Yoon Kim v. Ishikawajima Harima Heavy Industries Co., Ltd., et al., C.A. No. 3:99-5303
Jae Sik Choe v. Nippon Steel Corp., et al., C.A. No. 3:99-5309
Raymond Heimbuch, et al. v. Ishihara Sangyo Kaisha, Ltd., et al., C.A. No. 3:00-64